

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

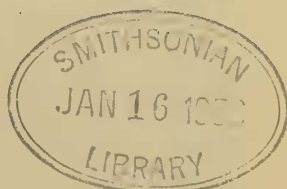
FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 371

Suppression under the Plenary Powers of the generic name *Protoechinus* Austin (T.), 1860, for the purpose of rendering the generic name *Pholidocidaris* Meek & Worthen, 1869 (Class Echinoidea) the oldest available name for the genus concerned



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 371

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Vice-President : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th
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Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*).

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Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*)
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August 1953).

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Nether-
lands*) (12th August 1953).

OPINION 371

SUPPRESSION UNDER THE PLENARY POWERS OF THE GENERIC NAME "PROTOECHINUS" AUSTIN (T.), 1860, FOR THE PURPOSE OF RENDERING THE GENERIC NAME "PHOLIDOCIDARIS" MEEK & WORTHEN, 1869 (CLASS ECHINOIDEA) THE OLDEST AVAILABLE NAME FOR THE GENUS CONCERNED

RULING :—(1) Under the Plenary Powers the generic name *Protoechinus* Austin (T.), 1860 (Class Echinoidea) is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 894 :—*Pholidocidaris* Meek & Worthen, 1869 (gender : feminine) (type species, by monotypy : *Lepidocentrus irregularis* Meek & Worthen, 1869) (Class Echinoidea).

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 515 :—*irregularis* Meek & Worthen, 1869, as published in the combination *Lepidocentrus irregularis* (specific name of type species of *Pholidocidaris* Meek & Worthen, 1869).

(4) The under-mentioned generic name is hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name No. 310 :—*Protoechinus* Austin (T.), 1860, as suppressed under the Plenary Powers under (1) above.

I.—THE STATEMENT OF THE CASE

The present *Opinion* is concerned with the first portion of the last of the eight cases relating to disputed Echinoderm names submitted to the International Commission on Zoological Nomenclature by the late Dr. Th. Mortensen (*Universitetets Zoologiske Museum, Copenhagen*) under cover of a letter dated 17th November 1932. The arguments in regard to these cases are set out in a paper by Dr. Mortensen entitled "A Vote on certain Echinoderm Names", which had been published a month earlier (Mortensen, October 1932, *Ann. Mag. nat. Hist.* (10) 10 : 345—368). The present application is concerned with the names *Pholidocidaris* Meek & Worthen, 1869, and *Protoechinus* Austin (T.), 1860. The point at issue was a simple one, but raised a question of principle on which no definite ruling had at that time ever been provided. Austin in 1860 had established a nominal genus *Protoechinus* for a new species which he named *Protoechinus anceps*. The description given for this nominal species had proved insufficient to permit of its identification, and in consequence the name *Protoechinus anceps* had been treated as a *nomen dubium*, as also had the generic name *Protoechinus* Austin itself. In 1918 Bather, however, had examined the type specimen of Austin's nominal species *Protoechinus anceps* and had found that it was a species referable to the genus then known as *Pholidocidaris* Meek & Worthen, 1869. Provided that a generic name which depended for its "indication" under Article 25 on the identity of its type species could be regarded as an available name if the type species of the genus so named was unidentifiable without reference to its type specimen, the generic name *Protoechinus* Austin, 1860, having nine years' priority over the name *Pholidocidaris* Meek & Worthen, 1869, would under the normal provisions of the *Règles* replace the latter name. It was the object of Dr. Mortensen's application to prevent the rejection of the name *Pholidocidaris* Meek & Worthen in this way.

2. The following is an extract from Dr. Mortensen's paper "A Vote on some Echinoderm Names" of the portion of the eighth section which deals with the present case :—

"*Pholidocidaris*" Meek & Worthen, "*Lovenechinus*" Jackson¹

By Th. MORTENSEN

(Universitetets Zoologiske Museum, Copenhagen)

(extract from a paper entitled "A Vote on some Echinoderm Names", published in October 1932, *Ann. Mag. nat. Hist.* (10) 10 : 365—367)

The genus *Pholidocidaris* was established in 1869 by Meek and Worthen, in their paper "Descriptions of new Crinoids and Echinoids from the Carboniferous Rocks of the Eastern States" (*Proc. Acad. Nat. Sci. Philadelphia*, 1869, p. 76) for the species *irregularis*, originally described by the same authors (*op. cit.* p. 78) as *Lepidocentrus irregularis*. The name *Pholidocidaris* has been very generally accepted—by Zittel, Lovén, Duncan, Lambert and Thiéry, and, particularly, by Jackson, in his monographic work on palaeozoic Echini ("Phylogeny of the Echini", 1912).

In 1918 Bather, in his paper "*Protoechinus* Austin" (*Ann. & Mag. Nat. Hist.* ser. 9, vol. i, p. 40) showed, through a re-examination of the original specimen, that the Echinoid described by Austin in 1860 ("On a new Genus of Echinoderm, and Observations on the Genus *Palaeochinus*", "The Geologist", iii, p. 446), under the name of *Protoechinus anceps*, is a *Pholidocidaris*, stating, however, that "since Austin's description has proved to be quite unrecognisable, the name *Protoechinus*, though of earlier date, cannot possibly supplant *Pholidocidaris* Meek & Worthen, 1869".

The two cases of *Pholidocidaris* and *Lovenechinus* are exactly parallel. In both cases the older name is rejected because of the insufficient or erroneous character of the original descriptions; but in both cases the original specimen is preserved, through re-examination of which their true characters have been made known and their exact systematic position been ascertained.

If that were to be made the general rule that insufficient descriptions or erroneous identifications should be good reason for rejecting names of earlier date and establishing new names instead, where

¹ For the portion of this part of Dr. Mortensen's paper which is concerned with the generic name *Lovenechinus* Jackson see *Opinion* 372.

would we be with most of the elder literature? How many of Linnaeus's or Lamarck's names would then stand criticism? Does not everybody accept the names of these and other old authors, in spite of all inadequacy of the original descriptions, if only we have their original specimens—or even if by any other means we can make a reasonable conclusion as to which species are really meant? But here, in the two cases mentioned, it means nothing that we have the original specimens and have been able to ascertain their characters and exact systematic position.

It would seem beyond doubt that according to the Rules, and in accordance with fair treatment of older authors, the name *Protoechinus* should replace *Pholidocidaris*, and the name *Eriechinus* replace *Lovenechinus*, as the older and being perfectly recognisable through the original specimens. However, nothing at all would be gained by reintroducing these elder little-known names instead of those used in the main literature and generally known; on the contrary, introducing these older names could only result in trouble and further confusion. We, therefore, recommend the codification of the two names, thus:—

Pholidocidaris Meek & Worthen, with genotype *Lepidocentrus irregularis* Meek & Worthen.

Lovenechinus Jackson, with genotype *Oligoporus missouriensis* Jackson.

3. As has been explained in paragraphs 1 and 2 of *Opinion 206* (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 3 : 319—338) relating to the name *Diadema* Gray, 1825 (a case which was submitted jointly with the present case), an extensive canvass of the views of active workers in the Echinoderms² had been undertaken by Dr. Mortensen before the present case was submitted to the International Commission. Of the thirty-nine (39) specialists who had taken part in this consultation thirty-five (35) supported the proposals submitted to the Commission, the specialists taking this view being:—Bather; Brighton; A. H. Clark; H. L. Clark; Cottreau; Currie; Deichmann; Diakonov; Döderlein; Fass; Fedotov; Fisher; Goto; Gregory; Grieg; Hecker; Heding; Hérouard; Jackson; Klinghardt; Lambert; Lieberkind; Mortensen; Nobre;

² The full addresses of the specialists who took part in this consultation have been given in paragraph 2 of *Opinion 206 (Diadema)*, the first *Opinion* to be rendered by the Commission on any of the cases submitted to it in 1932 by Dr. Mortensen and his colleagues.

Ohshima ; Panning ; Ravn ; Reichensperger ; Schmidt ; Spencer ; Stefanini ; Valette ; Vaney ; Wanner ; Yakovlev. Of the remaining four (4) specialists, one (1) (Hawkins) expressed himself as doubtful about this case, and three (3) (Ekman ; Gislén ; von Hofsten) did not vote.

II.—THE SUBSEQUENT HISTORY OF THE CASE

4. Consultation in 1932 with palaeontologists of the United States Geological Survey : In December 1932 the then Secretary (the late Dr. C. W. Stiles) reported Dr. Mortensen's application to the Commission in Circular Letter 229. On 20th December of that year, he wrote also to the Director of the United States Geological Survey, expressing the hope that arrangements might be made for these proposals to be examined by the palaeontologists of the Survey. On 19th January 1933, the Director replied, forwarding five comments by members of the staff, of which one was signed by two workers. These comments, in so far as they relate to the present case, were as follows :—

(a) Comment by L. W. Stephenson and C. Wythe Cooke :

I am in favor of codifying names concerning the strict validity of which there may be some question, if they have been in generally accepted use for long periods, but when it can be shown clearly that some other name has priority over a later more generally used name, as seems to be the case with both *Protoechinus* and *Eriechinus*, is there not a danger of adding to, rather than subtracting from, the confusion ? Will not some authors accept the rulings of the International Commission, while others will continue stoutly to maintain the validity of the names having priority ? Furthermore, will not such rulings encourage a flood of demands for Suspension of the Rules ?

(b) Comment by Lloyd H. Henbest :

Dr. Mortensen's petition to conserve and restore certain Echinoderm names seems to be reasonable, except in the cases of *Diadema*, *Pholidocidaris* and *Lovenechinus*.

If the original presentations of the names *Protoechinus* and *Eriechinus* were beneath the standards of their times and especially if the type

specimens are very poor fossils, I believe that any excuse for rejecting the names should be taken. Dr. Mortensen's petition does not make it entirely clear that such is the situation; therefore his action is subject to debate and is possibly unjustified.

(c) **Comment (dated 6th January 1933) by John B. Reeside, jr. :**

I see no particular objection to placing all of the names on the *List* of established names.

(d) **Comment by Edwin Kirke (referring to Dr. Reeside's comment) :**

I concur, except in the case of *Diadema*. [See *Opinion* 206.]

(e) **Comment (dated 16th January 1933) by W. P. Woodring :**

I am not familiar with the usage of these Echinoderm names, but as a general principle—other things being equal—I am in favor of special protection for names of long-standing usage that are being threatened.

5. Report to the Commission by Dr. C. W. Stiles in March 1935 :

In December 1933 Dr. Stiles reported to the Commission (in Circular Letter 245) the comments received earlier in that year from the palaeontologists of the Geological Survey. In March 1935 Dr. Stiles reported to the Commission (in Circular Letter 291) that he had received no further comments on this or the other proposals submitted by Dr. Mortensen and his colleagues, and suggested that these proposals should be considered by the Commission when it met at Lisbon in September of that year.

6. Postponement of the present application at Lisbon in 1935 :

When the International Commission assembled at Lisbon in 1935, the Secretary was absent through ill-health and the documents relating to the present case were not available. The Commission accordingly found itself unable to deal with this application at that Session.

7. Registration of the present application : At the time of the transfer of the Secretariat to London, following the election of Mr. Francis Hemming to be Secretary to the International Commission in succession to Dr. Stiles, the papers relating to

this and other cases were transferred to his care in 1938. It was then decided, as a temporary measure, to register as a single unit the complex of applications submitted in Dr. Mortensen's paper "A Vote on some Echinoderm Names", and the Registered Number Z.N.(S.) 18 was allotted to that complex. When later it was decided to deal separately with each of the foregoing applications, the Registered Number Z.N.(S.) 435 was allotted to the present case.

8. Wartime difficulties : The re-organisation of the Secretariat consequent upon its transfer to London and the arrangements required to be made for the provision of a small fund to enable the Commission to start its work at its new headquarters had barely been completed when in September 1939 the outbreak of war in Europe led to the evacuation of the records of the Commission from London to the country as a precaution against the risk of destruction through air raids. The Secretariat of the Commission in London was re-opened in 1942 and steps were immediately taken to establish the *Bulletin of Zoological Nomenclature* as a means for bringing to the attention of zoologists applications submitted to the Commission for decision. Work was at once started on those of the outstanding applications which were either sufficiently advanced to permit of their being published forthwith or with the authors of which it was possible for the Secretariat, notwithstanding the war then in progress, to communicate by post. The occupation of Denmark by German Armed Forces made it impossible, however, for the Secretariat at that time to communicate with Dr. Mortensen and it was accordingly impossible, until after the close of hostilities in Europe in 1945, to make any progress on this and the other cases of Echinoderm nomenclature which he had submitted to the Commission.

9. Conference between Mr. Hemming and Dr. Mortensen in London in 1946 : In the summer of 1946 Dr. Mortensen took advantage of the restored opportunities for foreign travel made possible by the Liberation of Denmark to visit London, largely for the purpose of discussing with Mr. Hemming the arrangements to be made for the further consideration of this, and his other applications by the International Commission. Dr. Mortensen

then intimated that he attached such great importance to obtaining decisions from the Commission at the earliest possible moment in regard to certain of the cases dealt with in his paper "A Vote on some Echinoderm Names", notably his applications relating to the names *Diadema*³ and *Spatangus*⁴, that he had come to the conclusion that it might be advantageous if he were to withdraw at least temporarily his applications in regard to the names *Pholidocidaris* Meek & Worthen and *Lovenechinus* Jackson. This, Dr. Mortensen explained, was not because he no longer attached importance to the proposals which he had submitted in regard to these names but because he felt that, if he were in this way to reduce the number of applications in regard to Echinoderm names awaiting attention, it might make it easier for the Commission to deal with those of his applications for which he was anxious to obtain the highest possible measure of priority. Mr. Hemming undertook to report these suggestions to the Commission, but added that, speaking personally, he thought that it would be undesirable simply to drop these applications in view of the large amount of publicity which they had secured through having been included in Dr. Mortensen's paper "A Vote on some Echinoderm Names"; if the proposals were to be abandoned, the proper course, in his (Mr. Hemming's) view, would be for the Commission to deal with these cases affirmatively, that is by placing on the *Official List of Generic Names in Zoology* the names which it had been Dr. Mortensen's original intention should be suppressed. Mr. Hemming added that, pending a decision by the Commission as to the procedure to be followed in these cases, it would be necessary to treat them as being still on the Commission's Agenda.

10. Decision on procedure taken in Paris in 1948 : The present case was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne on Monday, 26th July 1948 at 2030 hours. At this meeting the Commission reviewed the stage reached in regard to each of the eight applications included

³ A decision on this subject has since been taken by the International Commission and has been embodied in *Opinion* 206 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 3 : 319—338).

⁴ A decision on this subject has since been taken by the International Commission and has been embodied in *Opinion* 209 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 3 : 367—392).

in Dr. Mortensen's paper "A Vote on some Echinoderm Names" (Paris Session, 14th Meeting, Conclusion 32 (1950, *Bull. zool. Nomencl.* 4 : 509—514)) and took decision on the procedure to be adopted in regard to these cases. Mr. Hemming then reported the receipt from Dr. Mortensen of the suggestion that his application in regard to the present case and also that in regard to the name *Lovenechinus* Jackson should be regarded as having been temporarily withdrawn. After taking note of the communication received from Dr. Mortensen (Conclusion 32(1)(d)), the Commission took the following decision in regard to the procedure to be adopted in regard to the applications relating to the names *Pholidocidaris* Meek & Worthen and *Lovenechinus* Jackson (Conclusion 32(4) (1950, *ibid.* 4 : 513)) :—

THE COMMISSION :—

agreed that, having regard to the wide publicity which had been given to the proposal that the Plenary Powers should be used in the case of the names *Pholidocidaris* Meek & Worthen, 1869, and *Lovenechinus* Jackson, 1912, it would not be appropriate to allow that application to lapse, the proper course in such a case being to place on the relevant *Official List* the names for which it had previously been proposed that the Plenary Powers should be used, the entries so made to be those prescribed under the *Règles*, and accordingly invited the Secretary to the Commission to confer with specialists for the purpose of securing the submission to the Commission of alternative proposals on the foregoing lines, if that was the general wish of interested specialists.

11. Discussions with Dr. Mortensen after the close of the Session held by the Commission in Paris in 1948 : For a period of about eighteen months following the close of the Session held by the Commission in Paris in 1948 the entire resources of the Office of the Commission were concentrated upon the preparation and publication of the Official Record of the meetings held by the Commission during that Session and of those of the Section on Nomenclature of the Paris Congress. Following the publication in 1950 of these *Official Records* work was resumed both on current applications awaiting attention and also on the cases which had been considered in Paris but on which for one reason or another final decisions had not then been taken. At this stage discussions were opened between the Secretary and Dr. Mortensen as to the procedure to be adopted for giving effect

to the decision taken in regard both to the present case and to that relating to the name *Lovenechinus* Jackson, 1912. Dr. Mortensen expressed gratification that the Commission had found it possible during its Paris Session to take final decisions on the other cases included in his paper "A Vote on some Echinoderm Names.". He welcomed also the action of the Commission in deciding to proceed with the cases relating to the names *Pholidocidaris* and *Lovenechinus*. Dr. Mortensen asked, however, that, in view of his age and his many other urgent pre-occupations, he might be excused from the labour of preparing revised applications in regard to these cases. It was accordingly agreed between Mr. Hemming and Dr. Mortensen that the former should, as Secretary, prepare, in consultation with Dr. Mortensen, a note on the applications relating to the foregoing names, in which, after setting out the issues involved and the proposals in regard thereto submitted by Dr. Mortensen, he would appeal to interested specialists to furnish the Commission with advice as to the action which it was desirable should be taken.

12. Publication in 1952 of a review of the present case and of an appeal to interested specialists for advice thereon : In accordance with the arrangements described in the preceding paragraph Mr. Hemming in the autumn of 1951 prepared a note in regard to the present case, at the conclusion of which he appealed to interested specialists for advice as to the action which it was desirable should be taken by the Commission. Mr. Hemming's note, which was published on 15th April 1952 (*Bull. zool. Nomencl.* 7 : 219—220), was as follows :—

Case 25 : On the proposed use of the Plenary Powers to suppress the generic name "Protoechinus" Austin (T.), 1860, for the purpose of validating the name "Pholidocidaris" Meek & Worthen, 1869 (Class Echinoidea)

By FRANCIS HEMMING, C.M.G., C.B.E.,

(Secretary to the International Commission on Zoological Nomenclature)

(extract from a paper entitled "Preliminary Report on Twenty-Eight individual nomenclatorial problems remitted by the International Commission on Zoological Nomenclature for special investigation: Request to specialists for advice")

59. The eighth of the nine applications for the use of the Plenary Powers in relation to generic names in the Class Echinoidea submitted

to the International Commission in 1932 by Dr. Th. Mortensen (Copenhagen) after extensive consultation with Echinoid specialists was a request that the Commission should use its Plenary Powers to suppress the generic name *Protoechinus* Austin, 1860 (type species, by monotypy: *Protoechinus anceps* Austin, 1860) for the purpose of rendering available for this genus the name *Pholidocidaris* Meek and Worthen, 1869 (type species by monotypy: *Lepidocentrus irregularis* Meek and Worthen, 1869). The point on which this application turned was at the time a novel one, namely whether a specific name could properly be brought into use, when the original published description was insufficient to permit of the identification of the species so named but where the holotype (or other type material) on which the nominal species in question was based was still available and it was in consequence possible to establish the identity of the species in question. In this particular case, the holotype of the nominal species *Protoechinus anceps* Austin was preserved and proved on examination by Bather (1918) to be a species of the genus which in 1869 Meek & Worthen had named *Pholidocidaris*, a name which in the intervening half century had become thoroughly established. It was for this reason that the thirty-five specialists by whom the application was submitted (see Mortensen, 1932, *Ann. Mag. nat. Hist.* (10) 10: 365—368) recommended the use of the Plenary Powers for the purpose of suppressing *Protoechinus* Austin, 1860, and validating *Pholidocidaris* Meek & Worthen, 1869.

60. Prior to the Session of the Commission held in Paris in 1948 Dr. Mortensen intimated that, in view of the greater importance which he attached to certain of the other applications submitted to the Commission concurrently with the present application, he was disposed to discontinue the application submitted in the present case. The Commission took the view, however, that having regard to the wide publicity which had been given (through the publication in 1932 of the paper by Dr. Mortensen entitled "A Vote on some Echinoderm Names" referred to in paragraph 59 above) to the proposal that the Plenary Powers should be used in this case, it would not be appropriate to allow this application to lapse, the proper course in the case of an abandoned application for the use of the Plenary Powers being to place on the relevant *Official List* the names which in the abandoned application it had been asked should be suppressed under the Plenary Powers. Moreover, in the present case it had not then been possible to ascertain from the other specialists by whom the application had originally been submitted jointly with Dr. Mortensen whether it was their desire that the application should proceed as originally proposed. The Commission accordingly asked me to consult with the original signatories to the present application and with other specialists in the Echinoidea as to which of the two possible courses it was desirable to adopt in this case.

61. Specialists in the Echinoidea are accordingly asked to notify the Commission as soon as possible as to which of the two following alternative courses they favour in the present case : *Course (1)*. Under this course (which is that embodied in the original application) the name *Protoechinus* Austin, 1860, would be suppressed under the Plenary Powers and placed on the *Official Index of Rejected and Invalid Generic Names in Zoology*, while the name *Pholidocidaris* Meek & Worthen, 1869 (type species, by monotypy : *Lepidocentrus irregularis* Meek & Worthen, 1869) would be placed on the *Official List of Generic Names in Zoology*. *Course (2)*. Under this course the original proposal would be abandoned, this decision being marked by the placing on the *Official List of Generic Names in Zoology* of the generic name *Protoechinus* Austin, 1860 (type species, by monotypy : *Protoechinus anceps* Austin, 1860). At the species name level the adoption of *Course (1)* would involve placing the trivial name *irregularis* Meek & Worthen, 1869, as published in the combination *Lepidocentrus irregularis*, on the *Official List of Specific Trivial Names in Zoology*, while *Course (2)* would involve placing on the foregoing *Official List* the trivial name *anceps* Austin, 1860, as published in the combination *Protoechinus anceps*, the species so named to be identified by reference to Bather's paper of 1918 ; in each case, the foregoing action would be subject to the Commission being satisfied that the trivial name concerned is subjectively as well as objectively, the oldest available such name for the species concerned ; if in either case specialists were to consider that there was some older trivial name subjectively applicable to the taxonomic species concerned, it would be that older name and not the trivial name of the nominal species which is the type species of the genus in question which would be placed on the *Official List of Specific Trivial Names in Zoology*.

13. **Issue of Public Notices :** Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 15th April 1952 (a) in Double-Part 7/8 of volume 7 of the *Bulletin of Zoological Nomenclature* (the Part in which was published the appeal to specialists reproduced in paragraph 12 of the present *Opinion*) and (b) to the other prescribed serial publications.

14. **Comments received in response to the Public Notice issued in April 1952 :** The Public Notice issued in the present case, published in April 1952 concurrently with Mr. Hemming's

appeal to specialists for advice, elicited comments from two specialists, each of whom supported the action recommended by Dr. Mortensen. The specialists concerned were :—(1) Professor Dr. H. Engel (*Zoologisch Museum, Amsterdam, The Netherlands*) ; (2) Dr. Austin H. Clark (*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*), one of the original co-applicants in the present case. The communications so received are given in the immediately following paragraphs. No objection to the use of the Plenary Powers for the purposes recommended by Dr. Mortensen was received from any source.

15. Support received from Professor Dr. H. Engel (Zoologisch Museum, Amsterdam, The Netherlands) : On 17th April 1952, Professor Dr. H. Engel (*Zoologisch Museum, Amsterdam, The Netherlands*) addressed a letter to the Commission, commenting upon a number of cases dealt with in the then just published Part 7/8 of volume 7 of the *Bulletin*. The following is an extract from the foregoing letter of the portion relating to the present case :—“ It is my opinion . . . that *Protoechinus* (Case 25, p. 219) (Z.N.(S.) 435) should be suppressed and *Pholidocidaris* placed on the *Official List*.”

16. Support received from Dr. Austin H. Clark (Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.) : On 20th May 1952, Dr. Austin H. Clark (*Smithsonian Institution, U.S. National Museum, Washington, D.C., U.S.A.*) addressed a letter to the Commission commenting on the cases of Echinoderm nomenclature dealt with in Part 7/8 of volume 7 of the *Bulletin*. The following is an extract from the foregoing letter of the portion relating to the present case :—“ I recommend that . . . *Pholidocidaris* Meek & Worthen . . . be placed on the *List of nomina conservanda* in the sense in which they are used in Mortensen's *Monograph of the Echinoidea*.”

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

17. Issue of Voting Paper V.P.(O.M.)(54)8 : In May 1954, Mr. Hemming, as Secretary, prepared for the consideration of the Commission a brief note, summarising the history of the present

case, giving an account of the interim decision taken in Paris in 1948, of the action subsequently taken to secure the views of interested specialists, and of the comments so elicited. This note was submitted to the Commission on 12th May 1954, together with a Voting Paper (V.P.(O.M.)(54)8), in which the Members of the Commission were invited to vote either for, or against, " the proposal relating to *Pholidocidaris* Meek & Worthen, 1869, as set out at the foot of the present Voting Paper." The draft Ruling so submitted is not reproduced here, for its terms were identical with those of the Ruling given at the head of the present *Opinion*.

18. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the One-Month Rule, the Prescribed Voting Period closed on 12th June 1954.

19. Particulars of the Voting on Voting Paper V.P.(O.M.)(54)8 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(O.M.)(54)8 was as follows :—

(a) *Affirmative Votes had been given by the following sixteen (16) Commissioners (arranged in the order in which Votes were received) :*

Sylvester-Bradley ; Lemche ; Riley ; Holthuis ; Hering ;
Dymond ; Vokes ; Stoll ; Esaki ; Hankó ; Hemming ;
Boschma ; Bradley (J.C.) ; Cabrera ; Bonnet ; Pearson ;

(b) *Negative Votes :*

None ;

(c) *On Leave of Absence, one (1) :*

Mertens ;

(d) *Voting Papers not returned, two (2)⁵ :*

do Amaral ; Jaczewski.

⁵ After the close of the Prescribed Voting Period an affirmative vote was received from each of the Commissioners here concerned : from Commissioner Jaczewski on 1st July 1954 ; from Commissioner do Amaral on 3rd July 1954.

20. Declaration of Result of Vote : On 13th June 1954 Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(54)8, signed a Certificate that the Votes cast were as set out in paragraph 19 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

21. Preparation of the Ruling given in the present "Opinion" : On 17th March 1955, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(O.M.)(54)8.

22. Original References : The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

irregularis, *Lepidocentrus*, Meek & Worthen, 1869, *Proc. Acad. nat. Sci. Philad.* 1869 : 78

Pholidocidaris Meek & Worthen, 1869, *Proc. Acad. nat. Sci. Philad.* 1869 : 78

Protoechinus Austin (T.), 1860, *The Geologist* 3 : 446

23. Family-Group-Name aspects : The application dealt with in the present *Opinion* was submitted to the Commission many years before the establishment of the *Official List of Family-Group Names in Zoology*. It was not found possible to investigate this aspect of this case prior to the submission to the Commission of Voting Paper V.P.(O.M.)(54)8. This question is, however, now being examined on a separate File to which the Registered Number Z.N.(G.) 125 has been allotted.

24. At the time of the submission of the present application the name applicable to the second portion of a binomen was

“trivial name”. This was altered to “specific name” by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the *Official List* and *Official Index* of names of this category. These changes in terminology have been incorporated in the Ruling given in the present *Opinion*.

25. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

26. The present *Opinion* shall be known as *Opinion* Three Hundred and Seventy-One (371) of the International Commission on Zoological Nomenclature.

DONE in London, this Seventeenth day of March, Nineteen Hundred and Fifty-Five.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING